Ur 15/ (B)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
(CHHATTISGARH)

Single Bench

CIVIL REVISION No. 113 **/2006**

PETITIONER

Ku. Swati Soni aged about 24 years, D/o Ram Kumar Soni, by Caste Sonar, R/o Vishwanath Colony, Thana , Tahsil And Distt, Chhattarpur (M.P.)
Present Address, Sanjay Para Bhanupratappur Distt. Uttar Bastar Kanker (C.G.)

P.R. No. 2174/06
Presented by Shri Sanjay Kotecha
dated 02.11.06

VERSUS

RESPONDENTS

1. Sanjay Kumar Thakur, aged about 24 years, S/o Ramvilas Thakur, R/o G.G. Mandal, Ghatroad, Dakshineshwar Road Calcutta West Bengal

Driver

Owner

2. Bhagwan Das Vyapar Udyog Ltd. 194, S.P. Mukerjee Road, Calcutta West Bengal

3. The New Assurance India, Calcutta, West Bengal

REVISION PETITION UNDER SECTION 115 OF CODE OF CIVIL PROCEDURE 1908

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

C.R. No. 113/2006

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11.08.2006

Shri Parag Kotecha, counsel for the applicant.
Heard on admission.

This revision is directed against the order dated 20.7.2006 by which, the Claims Tribunal has refused to allow an application for withdrawal of the claim with liberty to file a fresh claim petition.

Learned counsel for the applicant submits that the applicant could not file the copies of registration book and driving license etc, therefore, she wanted to withdraw the claim with liberty to file a fresh claim along with those documents.

In the opinion of this Court, it is not required to file either driving license or registration certificate, while filing a claim under Section 166 of the Motor Vehicles Act. The claim can simply be filed and the documents, if required, may be filed subsequently or they may be called at the time of evidence through the agency of the Tribunal and on this basis only, the claim can not be permitted to be withdrawn. There appears to be no merits in this revision.

The revision is dismissed.

Sd/-
Sunil Kumar Sinha
Judge